

Report Criteria:

- Detail report.
- Invoices with totals above \$0 included.
- Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
<b>105</b>								
105	ABE NEERINGS & SON	6513	Boiler Bearing - Labor in 3/10/202	11/28/2022	2,026.00	.00		
105	ABE NEERINGS & SON	6599	Town Hall Heat Problem - 5/20/20	11/28/2022	150.00	.00		
105	ABE NEERINGS & SON	6626	2nd Quarter Maintenace for HVAC	11/28/2022	1,800.00	.00		
105	ABE NEERINGS & SON	6728	Heat not working in Town Hall - R	11/11/2022	300.00	.00		
105	ABE NEERINGS & SON	6746	3rd Quarter Maintenance for HVA	11/28/2022	1,800.00	.00		
Total 105:					6,076.00	.00		
<b>305</b>								
305	COLONIAL FLAG & SPECIALTY	0282422-IN	Hamlet Park Rotations	11/13/2022	392.80	.00		
Total 305:					392.80	.00		
<b>560</b>								
560	HOLLAND EQUIPMENT COMPA	20869	Snow Plow Replacement rear edg	11/08/2022	13,504.34	.00		
Total 560:					13,504.34	.00		
<b>565</b>								
565	HORROCKS ENGINEERS INC	73400	Attend City Council Meeting	11/11/2022	340.00	.00		
565	HORROCKS ENGINEERS INC	73400	Midway General Engineering	11/11/2022	873.50	.00		
565	HORROCKS ENGINEERS INC	73400	2020 Capital Facility Plan	11/11/2022	2,789.00	.00		
565	HORROCKS ENGINEERS INC	73400	.Attend Planning Commission	11/11/2022	340.00	.00		
565	HORROCKS ENGINEERS INC	73400	Develop Rev. Comm/Michael & St	11/11/2022	340.00	.00		
565	HORROCKS ENGINEERS INC	73400	10 Year Road & Water Plan	11/11/2022	411.00	.00		
565	HORROCKS ENGINEERS INC	73400	UPDATE trail General Plan	11/11/2022	340.00	.00		
565	HORROCKS ENGINEERS INC	73400	Whitaker Farms Sub - Constructio	11/11/2022	112.00	.00		
565	HORROCKS ENGINEERS INC	73400	Remund Farms Ph4 - Constructio	11/11/2022	918.45	.00		
565	HORROCKS ENGINEERS INC	73400	Rising Ranch - Construction	11/11/2022	217.20	.00		
565	HORROCKS ENGINEERS INC	73400	Saddle Creek Ph 4 - Construction	11/11/2022	752.15	.00		
565	HORROCKS ENGINEERS INC	73400	Cozens 3 Lot Sub - Construction	11/11/2022	1,180.00	.00		
565	HORROCKS ENGINEERS INC	73400	Homestead Resort - Construction	11/11/2022	1,768.15	.00		
565	HORROCKS ENGINEERS INC	73400	Huntleigh Woods Sub: Constructio	11/11/2022	1,750.30	.00		
565	HORROCKS ENGINEERS INC	73400	Rising Ranch (Sam Castor) - Plan	11/11/2022	394.00	.00		
565	HORROCKS ENGINEERS INC	73400	Villages of Zermatt - Construction	11/11/2022	2,158.95	.00		
565	HORROCKS ENGINEERS INC	73400	The Highlands at Soldier: Constru	11/11/2022	788.00	.00		
565	HORROCKS ENGINEERS INC	73400	The Village Phase 1 - Constructio	11/11/2022	8,369.95	.00		
565	HORROCKS ENGINEERS INC	73400	Ameyalli, Mt Spa Resort: Planning	11/11/2022	985.00	.00		
565	HORROCKS ENGINEERS INC	73400	Saddle Creek Ph 1 - Construction	11/11/2022	582.00	.00		
565	HORROCKS ENGINEERS INC	73400	Springer Village - Planning	11/11/2022	1,707.55	.00		
565	HORROCKS ENGINEERS INC	73400	The Reserve Phase 1: Constructi	11/11/2022	394.00	.00		
565	HORROCKS ENGINEERS INC	73400	The Reserve Phase 2: Constructi	11/11/2022	788.00	.00		
565	HORROCKS ENGINEERS INC	73400	The Village: Planning	11/11/2022	2,328.00	.00		
565	HORROCKS ENGINEERS INC	73400	Rising Heights School - Planning	11/11/2022	693.00	.00		
565	HORROCKS ENGINEERS INC	73400	Saddle Creek Phase 2 & 3 - Cons	11/11/2022	1,559.40	.00		
565	HORROCKS ENGINEERS INC	73400	Remunds Farms Phase 5 - Planni	11/11/2022	1,130.00	.00		
565	HORROCKS ENGINEERS INC	73400	Vincent Fields Sub - Annex. & Pla	11/11/2022	1,002.00	.00		
565	HORROCKS ENGINEERS INC	73400	The Farms at Wilson Lane - Const	11/11/2022	2,980.65	.00		
565	HORROCKS ENGINEERS INC	73400	Soldier Hollow Meadows - Constr	11/11/2022	2,734.00	.00		
565	HORROCKS ENGINEERS INC	73400	Van Wagoner Sub - Planning	11/11/2022	539.00	.00		
565	HORROCKS ENGINEERS INC	73400	Vincent Fields - Construction	11/11/2022	1,144.40	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
565	HORROCKS ENGINEERS INC	73400	Kays Landing - Planning	11/11/2022	1,044.00	.00		
565	HORROCKS ENGINEERS INC	73400	2021 South Homestead Trail Desi	11/11/2022	5,918.55	.00		
565	HORROCKS ENGINEERS INC	73400	2022 Road & Trail Surface Treatm	11/11/2022	850.00	.00		
565	HORROCKS ENGINEERS INC	73400	Stringtown Rd & Culvert Project	11/11/2022	802.00	.00		
565	HORROCKS ENGINEERS INC	73400	City Wide GIS Options	11/11/2022	850.40	.00		
565	HORROCKS ENGINEERS INC	73400	Water System Maintenance	11/11/2022	730.85	.00		
565	HORROCKS ENGINEERS INC	73400	Metering the Gerber & Mahogany	11/11/2022	340.00	.00		
565	HORROCKS ENGINEERS INC	73400	Pine Canyon Storm Drain Constru	11/11/2022	11,025.05	.00		
Total 565:					63,970.50	.00		
<b>600</b>								
600	I-D ELECTRIC INC	112386	ALPENHOIf Well house & Repairs	11/09/2022	1,954.48	.00		
Total 600:					1,954.48	.00		
<b>665</b>								
665	JB GORDON CONSTRUCTION I	11232022	2-22 PINE CANYON STORM DR	11/23/2022	211,121.64	.00		
Total 665:					211,121.64	.00		
<b>845</b>								
845	MOUNTAINLAND SUPPLY COMP	S104983861.0	Hydrant Oil	11/07/2022	287.98	.00		
845	MOUNTAINLAND SUPPLY COMP	S105003127.0	Water Setter Deal Check Valve	11/16/2022	4,580.96	.00		
Total 845:					4,868.94	.00		
<b>875</b>								
875	ODP BUSINESS SOLUTIONS LL	273453425001	Office Supplies	11/04/2022	31.55	.00		
875	ODP BUSINESS SOLUTIONS LL	275535713001	Wireless Keyboard	11/08/2022	34.64	.00		
875	ODP BUSINESS SOLUTIONS LL	275550048001	Ink for the Souvenir Shop	11/08/2022	123.74	.00		
875	ODP BUSINESS SOLUTIONS LL	277937452001	OFFICE SUPPLIES	11/10/2022	41.94	.00		
875	ODP BUSINESS SOLUTIONS LL	277938094001	Paper for Office	11/10/2022	16.60	.00		
Total 875:					248.47	.00		
<b>930</b>								
930	Dominion Energy	2731063797 11	2731063797 Community Center	11/10/2022	320.15	.00		
930	Dominion Energy	5770020000 11	5770020000 TOWN HALL	11/10/2022	265.16	.00		
930	Dominion Energy	6558550000 11	6558550000 Maintenance Shop -	11/10/2022	563.94	.00		
930	Dominion Energy	6801020000 11	6801020000 Admin Office	11/10/2022	135.71	.00		
Total 930:					1,284.96	.00		
<b>1045</b>								
1045	STANDARD PLUMBING SUPPLY	TFBQ11	RepLACEMENT pIPE CUTTING	11/28/2022	14.50	.00		
Total 1045:					14.50	.00		
<b>1160</b>								
1160	THE UPS STORE	12211154186C	Tree Lighting Signage	11/15/2022	257.98	.00		
Total 1160:					257.98	.00		
<b>1170</b>								
1170	TIMBERLINE ACE HARDWARE	158004	Painting Supplies	11/08/2022	36.90	.00		
1170	TIMBERLINE ACE HARDWARE	158231	Frame Drill Bits	11/14/2022	41.47	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
1170	TIMBERLINE ACE HARDWARE	158252	DRILL BIT SET FOR Shop	11/15/2022	109.97	.00		
1170	TIMBERLINE ACE HARDWARE	158466	Thaw water meters, Soder Gun, P	11/21/2022	73.06	.00		
1170	TIMBERLINE ACE HARDWARE	158469	Full Drill Bit	11/21/2022	29.15	.00		
1170	TIMBERLINE ACE HARDWARE	158479	Gage Anderson-Jacket Light-Clot	11/21/2022	89.99	.00		
1170	TIMBERLINE ACE HARDWARE	158483	Additional Self Taping Screws Box	11/22/2022	30.98	.00		
1170	TIMBERLINE ACE HARDWARE	158585	Self Taping Screws Box	11/28/2022	61.96	.00		
Total 1170:					473.48	.00		
<b>1310</b>								
1310	WASATCH AUTO PARTS	262750	Window Cleaning Detailing	11/16/2022	28.98	.00		
1310	WASATCH AUTO PARTS	262790	Shop supplies	11/16/2022	53.98	.00		
Total 1310:					82.96	.00		
<b>1365</b>								
1365	WAVE PUBLISHING	L 17740	Notice of Public Hearing	10/27/2022	129.50	.00		
Total 1365:					129.50	.00		
<b>1496</b>								
1496	WATTS ENTERPRISES	112122	Return Payment for 600 N Trail	11/21/2022	10,350.00	.00		
Total 1496:					10,350.00	.00		
<b>1603</b>								
1603	ROCKY MOUNTAIN POWER	11212022	SWISS MOUNTAIN PUMP	11/21/2022	11.91	.00		
Total 1603:					11.91	.00		
<b>2165</b>								
2165	INTERMOUNTAIN FARMERS AS	1018141608	Weed Burner	11/21/2022	79.99	.00		
Total 2165:					79.99	.00		
<b>2215</b>								
2215	O'REILLY AUTO PARTS	3664-263217	Paint & Lube for the Shop	10/31/2022	59.85	.00		
2215	O'REILLY AUTO PARTS	3664-266724	F550 Work Lights	11/15/2022	25.50	.00		
2215	O'REILLY AUTO PARTS	3664-267075	Trailer Maintenance Supplies	11/16/2022	178.43	.00		
2215	O'REILLY AUTO PARTS	3664-268355	Trailer Maintenance Supplies	11/22/2022	46.63	.00		
2215	O'REILLY AUTO PARTS	3664-269581	Shane's Truck-Replacement Tail L	11/28/2022	118.36	.00		
Total 2215:					428.77	.00		
<b>2220</b>								
2220	DITCH WITCH OF THE ROCKIE	P31916	Water pump, Water Valve & Ditch	11/21/2022	1,548.00	.00		
Total 2220:					1,548.00	.00		
<b>2244</b>								
2244	PEAK ALARM CO, INC	1252536	MONITORING for Public Worksho	12/01/2022	167.64	.00		
2244	PEAK ALARM CO, INC	1252537	CITY OFFICE Monitoring 12/01/2	12/01/2022	262.29	.00		
2244	PEAK ALARM CO, INC	1252538	MONITORING Dec 2022- Feb 20	12/01/2022	167.64	.00		
Total 2244:					597.57	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
<b>2561</b>								
2561	CENTURYLINK -435-654-3924 45	11162022	Phone/Internet	11/07/2022	150.14	.00		
Total 2561:					150.14	.00		
<b>2614</b>								
2614	Executech Utah, Inc.	165825	Additional network cabling runs to	11/10/2022	1,050.00	.00		
Total 2614:					1,050.00	.00		
<b>2636</b>								
2636	CenturyLink ACCT# 88239224	616670036	Phone Services	11/12/2022	1,026.17	.00		
Total 2636:					1,026.17	.00		
<b>2644</b>								
2644	Semi Service	S 182583	Blade Markers Lights	11/21/2022	329.75	.00		
Total 2644:					329.75	.00		
<b>2658</b>								
2658	SIGNARAMA	INV-13181	Double Sided Banner	11/15/2022	168.30	.00		
Total 2658:					168.30	.00		
<b>2733</b>								
2733	WASATCH TIMBER PRODUCTS	1	Burn Barrels for Tree Lighting	11/21/2022	100.00	.00		
Total 2733:					100.00	.00		
<b>2783</b>								
2783	VERIZON WIRELESS	9919458615	Cellular Service	11/01/2022	373.00	.00		
Total 2783:					373.00	.00		
<b>2799</b>								
2799	WILDE EMBROIDERY	2501	Embroidery - Midway Logo on Chr	11/17/2022	90.00	.00		
2799	WILDE EMBROIDERY	2505	Embroidery - Clothing Allowance-	11/22/2022	45.00	.00		
Total 2799:					135.00	.00		
<b>2868</b>								
2868	SHERWIN WILLIAMS CO	0251-5	Paint and Painting Supplies	11/08/2022	77.03	.00		
2868	SHERWIN WILLIAMS CO	1047-0	Paint for the Community Center	11/14/2022	64.38	.00		
Total 2868:					141.41	.00		
<b>2871</b>								
2871	SBR TECHNOLOGIES	221110-0006	Annual Billing for the Plotter from	11/10/2022	995.00	.00		
Total 2871:					995.00	.00		
<b>2875</b>								
2875	Rogue Services LLC, DBA Wetco	1735	Chlorinator REPAIRS Regulators	11/25/2022	6,569.00	.00		
Total 2875:					6,569.00	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
<b>2885</b>								
2885	RITUAL CHOCOLATE	INVC00982	Retail Items for Midway Must Hav	10/24/2022	258.00	.00		
Total 2885:					258.00	.00		
<b>2899</b>								
2899	SUNPRO	2765534	Pressure Treated Board-Trailer R	11/20/2022	281.40	.00		
Total 2899:					281.40	.00		
<b>2915</b>								
2915	KAREE CANNON	16	Retail Merchadise for Midway Mu	11/17/2022	319.37	.00		
Total 2915:					319.37	.00		
<b>2927</b>								
2927	Ignition Creative Group	7288	Midway Stickers - MBA per T. Tur	11/23/2022	216.00	.00		
2927	Ignition Creative Group	7288	Midway Ice Rink and Business Di	11/23/2022	620.00	.00		
Total 2927:					836.00	.00		
<b>2938</b>								
2938	UTAH REINDEER LLC	0137-1	Reindeer Display -Balance Due fr	11/28/2022	1,040.00	.00		
Total 2938:					1,040.00	.00		
<b>2939</b>								
2939	Griswold Industries	857358	Replace single valve with working	11/15/2022	4,999.00	.00		
2939	Griswold Industries	857359	Apenhof Well, Water System, PR	11/15/2022	1,955.00	.00		
Total 2939:					6,954.00	.00		
<b>2945</b>								
2945	SHUMS CODA ASSOCIATES	7826	Inspection Services September 20	10/06/2022	4,800.00	.00		
Total 2945:					4,800.00	.00		
<b>2946</b>								
2946	SANTA TRAVIS	1	SANTA Claus	11/18/2022	250.00	.00		
Total 2946:					250.00	.00		
<b>2961</b>								
2961	SMITH & EDWARDS WEST JOR	20084	Clothes for Case Kohler	11/19/2022	688.66	.00		
Total 2961:					688.66	.00		
<b>2973</b>								
2973	Water Hydrant Rental Refund	11282022	Didn't use Water Hydrant - Refund	11/28/2022	500.00	.00		
Total 2973:					500.00	.00		
<b>3015</b>								
3015	TIFFANY HATCH	101	Retail for Midway Must Haves	10/01/2022	108.00	.00		
Total 3015:					108.00	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
<b>3019</b>								
3019	Arthur Day	8014207899	Art Day Willow Tree Expense	11/04/2022	2,992.50	.00		
Total 3019:					2,992.50	.00		
<b>3020</b>								
3020	Pam Walsh Studio	1	Retail Items for Midway Must Hav	10/28/2022	235.50	.00		
Total 3020:					235.50	.00		
<b>3022</b>								
3022	CHRISTOPHER BALA	11222022	Alpenhorn Fee - Tree Lighting	11/22/2022	50.00	.00		
Total 3022:					50.00	.00		
<b>3023</b>								
3023	PRISTINE PAINTING LLC	22429	Painting Downstairs	10/13/2022	8,991.46	.00		
Total 3023:					8,991.46	.00		
Grand Totals:					356,739.45	.00		

Dated: \_\_\_\_\_

Mayor: \_\_\_\_\_

City Council: \_\_\_\_\_

\_\_\_\_\_

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City Recorder: \_\_\_\_\_

City Treasurer: \_\_\_\_\_

Report Criteria:

- Detail report.
- Invoices with totals above \$0 included.
- Paid and unpaid invoices included.

# Midway City Corporation



Mayor: Celeste Johnson  
City Council Members:  
Lisa Orme • Jeff Drury  
JC Simonson • Kevin Payne  
Steve Dougherty

75 North 100 West  
P.O. Box 277  
Midway, Utah 84049  
Phone: 435-654-3223  
Fax: 435-654-4120  
[midwaycityut.org](http://midwaycityut.org)

## MEMO

**To: City Council**  
**From: Jennifer Sweat, Treasurer**  
**Date: November 28, 2022**  
**Subject: Pristine Painting LLC**

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On the Payment Approval Report there is an invoice listed from Pristine Painting LLC for \$8991.46. This is for the painting of the downstairs offices, hallways, and conference room.

The company has requested a deposit of 35% be paid from the invoice, and so a check for \$3147.01 is requested at this time, the balance will be paid once the job has been completed.

If you have any questions, please feel free to email me or call me!

Thank you!

Our vision for the City of Midway is to be a place where citizens, businesses and civic leaders are partners in building a city that is family-oriented, aesthetically pleasing, safe, walk able and visitor friendly. A community that proudly enhances its small town Swiss character and natural environment, as well as remaining fiscally responsible.



# Memo

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**Date:** 23 November 2022  
**To:**  
**Cc:**  
**From:** Brad Wilson, City Recorder  
**RE:** Minutes of the 15 November 2022 City Council Regular Meeting

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Please note that the following minutes are awaiting formal approval and are in draft or unapproved form.



**MINUTES OF THE  
MIDWAY CITY COUNCIL  
(Regular Meeting)**

**Tuesday, 15 November 2022, 6:00 p.m.  
Midway Community Center, Council Chambers  
160 West Main Street, Midway, Utah**

**Note:** Notices/agendas were posted at 7-Eleven, Ridley's Express, the United States Post Office, the Midway City Office Building, and the Midway Community Center. Notices/agendas were provided to the City Council, City Engineer, City Attorney, Planning Director, and The Wasatch Wave. The public notice/agenda was published on the Utah State Public Notice Website and the City's website. A copy of the public notice/agenda is contained in the supplemental file.

**1. Call to Order; Pledge of Allegiance; Prayer and/or Inspirational Message**

Mayor Johnson called the meeting to order at 6:03 p.m.

**Members Present:**

Celeste Johnson, Mayor  
Steve Dougherty, Council Member  
Jeff Drury, Council Member  
Lisa Orme, Council Member  
Kevin Payne, Council Member  
JC Simonsen, Council Member

**Staff Present:**

Corbin Gordon, Attorney  
Michael Henke, Planning Director  
Wes Johnson, Engineer  
Brad Wilson, Recorder

**Note:** A copy of the meeting roll is contained in the supplemental file.

Mayor Johnson led the Council and meeting attendees in the pledge of allegiance. Council Member Payne gave the prayer and/or inspirational message.

**2. Consent Calendar**

- a. Agenda for the 15 November 2022 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 1 November 2022 City Council Work Meeting
- d. Minutes of the 1 November 2022 City Council Regular Meeting
- e. Minutes of the 1 November 2022 City Council Closed Meeting

**Note:** Copies of items 2a, 2b, 2c, and 2d are contained in the supplemental file.

**Motion:** Council Member Payne moved to approve the consent calendar.

**Second:** Council Member Orme seconded the motion.

**Discussion:** None

**Vote:** The motion was approved with the Council voting as follows:

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

**3. Public Comment** – Comments were taken for items not on the agenda.

Mayor Johnson asked if there were any comments from the public for items not on the agenda. No comments were offered.

#### **4. Department Reports**

##### Public Transit

Council Member Orme reviewed new transit options offered by High Valley Transit. Mayor Johnson noted that the service would be free. She explained that transit fares comprised 10% of the system's revenue but 70% of its administrative costs.

##### Tree Lighting

Council Member Orme reminded everyone about the upcoming tree lighting event.

##### Alpenhof Park / RFP

Council Member Simonsen indicated that the plan to improve Alpenhof Park had been let out for proposals.

##### Caring Coalition Committing / Alcohol and Tobacco Use by Youth

Mayor Johnson reported that the Caring Coalition Committee was working on reducing alcohol and tobacco use by the youth.

##### MSD / HVSSD / Budgets

Mayor Johnson reported that the Midway Sanitation District (MSD) and the Heber Valley Special Service District (HVSSD) were finalizing their budgets.

**5. Ordinance 2022-29 / General Plan Amendment** (Peter and Emily Malinka – Approximately 60 minutes) – Discuss and possibly deny, continue, or adopt Ordinance 2022-29 amending the Road System Master Plan, in the Midway City General Plan, to remove or reroute a planned portion of 200 North. **Public Hearing**

Michael Henke gave a presentation regarding the request and reviewed the following items:

- Introduction
- Road System Master Plan
- 1977 Street Plan
- History
- Current street plan
- Applicants' proposal
- Criteria for the City to build roads.
- Arguments for and against a 250 North connection
- A General Plan Transportation Committee proposal to eliminate 200 North and only connect 200 East to 180 North.
- Location of the Malinka property
- General Plan
- Items of consideration
- Planning commission recommendation
- Possible findings
- Proposed recommended condition

Mr. Henke also made the following comments:

- Building the remainder of 200 North would continue the 21 original city blocks.
- 200 North or any other road was not planned to connect to 250 North.
- Developers would build 200 North as needed.
- It would be hard to connect to 250 North using the criteria for the City to build the connection.
- Fewer connecting roads were needed because the area had fewer houses.
- The Planning Commission recommended the Committee's proposal.
- The Malinkas would be required to build 200 North or provide a right-of-way for it if the road remained on the Road Plan. They wanted to do a density reduction subdivision which would not require 200 North. The property was zoned R-1-11 and R-1-15.
- Did not know what the Miller family would do with their property, which would include the planned 200 North or the proposed connection to 250 North. They would have to use cul-de-sacs if 200 North was removed from the Road Plan.

**Note:** A copy of Mr. Henke's presentation is contained in the supplemental file.

The Council, staff, and meeting attendees discussed the following items:

- Council Member Dougherty noted that the General Plan Transportation Committee's proposal was not before the Council. He asked if it could be approved.
- Council Member Dougherty asked what the applicant was proposing.

- Council Member Payne asked if removing 200 North from the Street Plan could be conditioned upon the Malinkas doing a density reduction subdivision. Mr. Henke responded that such a condition was appropriate.

Paul Berg, Berg Engineering Resource Group and representing the applicants, made the following comments:

- 200 North as planned would not line up with the entrances to the church house on Center Street. It would affect seven property owners.
- Connecting 200 North to 250 North would only affect two property owners.
- Only heard of the General Plan Transportation Committee's proposal after he submitted the application to connect to 250 North. Now supported the Committee's plan.
- Thought that the Malinkas would still do a density reduction subdivision even if the Committee's proposal was approved.
- The applicants, public, and City supported the Committee's proposal.

### **Public Hearing**

Mayor Johnson opened the hearing and asked if there were any comments from the public.

### **Doug Engfer**

Mr. Engfer made the following comments:

- Lived at the end of 250 North.
- Opposed any connection to 250 North.
- Supported removing 200 North from the Road Plan.
- Supported the proposal by the General Plan Transportation Committee.
- The area by his house was productive grazing land.

### **Cathy Philpot**

Ms. Philpot made the following comments:

- Wanted to keep the area historic and rural.
- Lived on 250 North.
- Did not support a connection to 250 North.
- Supported removing 200 North from the Road Plan.
- There was a group trying to preserve the area as open space.

### **Jeff Findarle**

Mr. Findarle made the following comments:

- Lived west of the Malinka's property.
- He, and his neighbor to the north, supported removing 200 North from the Road Plan.

- They supported connecting 150 North to 300 West.

#### Tyson Miller

Mr. Miller made the following comments:

- Owned the largest piece of property effected by the proposal.
- Supported the proposal from the General Plan Transportation Committee.
- Objected to connecting to 250 North.
- Would oppose the use of eminent domain.
- Did not have any plan at that time to develop his property.
- Wanted as much flexibility as possible for his property.

#### Peter Malinka, Applicant

Mr. Malinka made the following comments:

- Connecting to 250 North was a miscommunication. It was done simply to show an alternative for connectivity.
- Just wanted to remove the planned section of 200 North from the Street Plan.

#### Jonathan Hunt

Mr. Hunt made the following comments:

- Lived on 180 North.
- Opposed connecting 180 North to 250 North.
- The need for the connection could not be proven.
- The connection would be detrimental to his neighborhood.

#### Denise Bagley

Ms. Bagley opposed connecting to 250 North. She was unclear on what the Council was voting on. Mayor Johnson responded that 200 North should be removed as recommended by the General Plan Transportation Committee. Council Member Dougherty indicated that the Council could only decide on what was on the agenda. Mayor Johnson responded that the motion could be made to remove 200 North, from the Street Plan, and accept the route proposed by the General Plan Transportation Committee.

#### Emily Belanger

Ms. Belanger made the following comments:

- Lived in the Indian Summer Subdivision.
- Opposed the connector to 250 North.
- The area was residential and did not need through roads.

- There were already redundancies in connectivity in the area.
- Supported removing 200 North and adopting the proposal of the General Plan Transportation Committee.

Mayor Johnson closed the hearing when no further public comment was offered.

The Council, staff, and meeting attendees discussed the following items:

- The Street Plan did not show 200 North connecting to 180 South.
- The Plan showed general locations and contemplated flexibility in the routes of the planned streets.
- The City would have to meet the three criteria to force a road through someone's property.
- Imminent domain would have to be used to connect 200 North from the Malinka property to Center Street.
- The General Plan Transportation Committee's proposal would not be built if the Miller property was never developed.

**Motion:** Council Member Dougherty moved to reject any amendment to the Master Road Plan that connected 250 North to anything with the following findings:

- The connection to 250 North had not been on any street plan.
- Property owners bought based on the existing street plans.
- It would require condemnation.
- It was too problematic.
- The applicant no longer supported the connection.

**Second:** Council Member Simonsen seconded the motion.

**Discussion:** Paul Berg indicated that the applicant's request was an amendment to the Street Plan. He suggested that the General Plan Transportation Committee's proposal was also an amendment, and everything could be done in one motion.

**Amended Motion:** Council Member Dougherty moved to amend the General Plan to adopt the recommendation from the General Plan Transportation Committee, as depicted to remove those portions of 200 North from the 1977 General Road Plan as indicated, with the following conditions:

- Withdrawal of the Malinka application.
- Adopt Ordinance 2022-29 with the following amendments:
  - The title would be "To remove a portion of 200 North from the Road System Master Plan."
  - Remove the second, third, fourth, and fifth recitals to eliminate any reference to the Malinka property.
- The wording changed to "The following planned road shall be removed from the Midway City Road System Master Plan on the condition that the Malinkas' proposed low-density subdivision is approved and recorded before the map was officially amended. If the conditions were met, the following amendment to the Road System Master Plan would be made:

- A portion of 200 North, running from Center Street to 200 East, would be removed. and rerouted from 180 North (Indian Summer Subdivision) to 200 East.
- The owner of the property, that was currently owned by Peter and Emily Malinka and identified as Parcel #06-4928, recorded the plat map as a density reduction subdivision of no more than five lots.

**Second:** Council Member Simonsen seconded the amended motion.

**Discussion:** Council Member Drury reviewed the motion.

**Vote:** The motion was approved with the Council voting as follows:

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

Council Member Dougherty indicated that the Malinkas should withdraw their application.

**Note:** Michael Henke left.

**6. Resolution 2022-39 / Bonner Meadows Development Agreement** (City Attorney – Approximately 15 minutes) – Discuss and possibly deny, continue, or approve Resolution 2022-39 adopting a development agreement for the Bonner Meadows Subdivision located at 100 South and 100 East (Zoning is R-1-9).

Mr. Gordon reviewed changes to the Development Agreement and made the following comments:

- Made the edits from the previous meeting.
- The developer requested some minor changes.
- The Council needed to discuss the changes.

**Note:** Michael Henke returned.

The Council and meeting attendees discussed the edits and changes.

Mr. Gordon recommended that the Agreement be approved with the following changes:

- The developer had one year to record the plat map.
- Once the plat map was recorded then the Agreement would not expire.
- The developer would not hinder the City's obligation to dedicate 185 South to the Wasatch County School District.
- Subparagraph B(ii) to say only land use resolutions and ordinances and not all resolutions and ordinances of the City.

- 6(A) deleted.
- In Section 3(A)(iii)(f) the City rejected the change from the developer.
- In Section 3(A)(iii)(g) the City accepted the changes.
- Would include language regarding fencing and the temporary construction plan.
- At no time would 200 East be closed without the approval of the City Engineer.
- The changes in Section 3(A)(iii)(j) and (k) were accepted.
- In Section 3(A)(iii)(l) would be amended to state that the applicant could request an extension if needed because of the irrigation easement.
- Section 3(A)(iii)(u) the gate would be installed in the place as designated on the plat map.

**Motion:** Council Member Orme moved to accept Resolution 2022-29 with the changes outlined by the City Attorney.

**Second:** Council Member Drury seconded the motion.

**Discussion:** None

**Vote:** The motion was approved with the Council voting as follows:

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

**Motion:** Without objection, Mayor Johnson recessed the meeting at 7:52 p.m. She reconvened the meeting at 8:00 p.m.

- 7. Ordinance 2022-28 / Animals in Vehicles** (City Attorney – Approximately 15 minutes) – Discuss and possibly adopt Ordinance 2022-28 amending Title 6 (Animal Control) of the Midway City Municipal Code regarding animals in vehicles.

Corbin Gordon reported that he needed more time to make changes to the proposed ordinance.

**Motion:** Council Member Drury moved to continue Ordinance 2022-28.

**Second:** Council Member Simonsen seconded the motion.

**Discussion:** None

**Vote:** The motion was approved with the Council voting as follows:

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye



**8. Van Wagoner Subdivision / Preliminary and Final Approval** (Berg Engineering – Approximately 30 minutes) – Discuss and possibly deny, continue, or grant preliminary and final approval for the Van Wagoner Subdivision located at 160 North 200 East (Zoning is R-1-9 and R-1-15). **Public Hearing**

Michael Henke gave a presentation regarding the request and reviewed the following items:

- Land use summary
- Location of the proposed development
- Surrounding area
- Utilities
- Existing site plan
- Proposed plat map
- Photographs
- Water board recommendation
- Possible findings

Mr. Henke also made the following comments:

- There could have been more lots on the property.
- Three buildings would be removed.
- The property to the north might have a rural preservation subdivision and not need a main culinary water line.
- Several buildings and fences were in the right-of-way. An encroachment agreement could be reached between the owner and the City as part of the development agreement.
- Two parcels would be combined.
- The neighbors would like to save the barn if it was going to be demolished.
- There was a sliver of land on the west side of the road that was not buildable.

**Note:** A copy of Mr. Henke's presentation is contained in the supplemental file.

Wes Johnson made the following comments:

- Recommended that a main culinary water line go to the end of the proposed subdivision to eventually be looped with 180 North. The City would pay to upsize the line for fire flow.
- The sewer line in the road needed to be replaced.

The Council, staff, and meeting attendees discussed the following items:

- The encroachment into the right-of-way predated any of the council members.
- The buildings would have to be moved if there was a compelling need.
- The road had to be built to the City's standards if it eventually connected to another road.

- It would be nice to preserve the butcher's shop, which was a historic structure. This issue should be addressed.
- Could a city standard road fit in the existing area between the structures on each side of the road? The standard was 56 feet with 66 feet available.
- If a safe road could be built, then the excess property should be deeded to the owners to eliminate the encroachment issue. There was a mandated process to vacate a portion of a road.
- The butcher's shop was limited to its historical use. The use would end if the building was torn down.
- The City should not agree to a non-conforming structure. Vacating the unneeded section of road would eliminate the issue, except for setbacks, and maintain the rural character of the property.
- The City should not lose the right to oppose future non-conforming issues.
- The City could say that it chose not to legally challenge this non-conforming issue.
- Should the agreement be written in such a way to address slight changes in conditions?
- Should all the needed right-of-way be taken from one side of the road? The right-of-way should line up with the existing fence on the east.

### **Public Hearing**

Mayor Johnson opened the hearing and asked if there were any comments from the public. She closed the hearing when no public comment was offered.

**Note:** Council Member Orme left at 8:33 p.m. and continued participating electronically

**Motion:** Council Member Simonsen moved to approve the Van Wagoner Subdivision for preliminary and final approval with the adjustments by the City Attorney and the following findings:

- The proposed lot met the minimum requirements for the R-1-9/R-1-15 zoning districts.
- The proposal met the intent of the General Plan for the R-1-11/R-1-15 zoning districts.
- The applicant would be required to install or bond for all unfinished improvements prior to the plat being recorded.
- The duration of Preliminary/Final Approval would be for one year from the date of approval of the development by the City Council. If the Final Plat was not recorded with the County Recorder within the one-year period of time, the development's approval would be voided, and both Preliminary and Final Approvals would have to be re-obtained to reinstate the project, unless, upon request by the applicant and on a showing of extenuating circumstances, the City Council extended the time limit for plat recording, with or without conditions. No more than three one-year extensions would be allowed. The granting or denying of any extension, with or without conditions, was within the sole discretion of the City Council, and an applicant had no right to receive such an extension.

**Second:** Council Member Payne seconded the motion.

**Discussion:** None

**Vote:** The motion was approved with the Council voting as follows:

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

Mr. Henke asked who would be responsible for vacating the section of the road. The Council indicated that the City would be responsible.

**9. Resolution 2022-40 / Van Wagoner Subdivision Development Agreement** (City Attorney – Approximately 5 minutes) – Discuss and possibly deny, continue, or approve Resolution 2022-40 adopting a development agreement for the Van Wagoner Subdivision located at 160 North 200 East (Zoning is R-1-9 and R-1-15).

Corbin Gordon indicated that he would update the Agreement to include the items from the approval.

**Motion:** Council Member Dougherty moved to continue the item until the next meeting so that the Council could review the final document.

**Discussion:** Paul Berg asked that the agreement not be in his name. He noted that the listed acreage was off slightly.

Wes Johnson asked when construction would begin. Ken Van Wagoner responded in approximately six months.

**Second:** Council Member Payne seconded the motion.

**Discussion:** None

**Vote:** The motion was approved with the Council voting as follows:

Council Member Dougherty	Aye
Council Member Drury	Aye
Council Member Orme	Absent
Council Member Payne	Aye
Council Member Simonsen	Aye

## 10. Adjournment

**Motion:** Council Member Simonsen moved to adjourn the meeting. Council Member Drury seconded the motion. The motion passed unanimously.

The meeting was adjourned at 8:55 p.m.

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Celeste Johnson, Mayor

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Brad Wilson, Recorder

DRAFT



**Midway**

## **CITY COUNCIL MEETING STAFF REPORT**

**AGENDA ITEM:** Final Approval extension request for the Pack (Howland) Subdivision

**DATE OF MEETING:** December 6, 2022

**APPLICANT:** Jeremy Pack

**LOCATION:** 600 West 200 North

### **Staff Summary**

Jeremy Pack has submitted a final approval plat extension application request for the Pack Small Scale Subdivision (formerly known as the Howland subdivision), a one-lot subdivision proposal on 2.49 acres located at 600 West 200 North. Final approval from the City Council was granted on November 3, 2020. The applicant indicated in their application for the extension that the additional time is needed to gather the remaining signatures on the plat that are required before recording. If granted, this would be the second of three possible one-year extensions. This project does not have any outstanding fees to be paid. Staff is not aware of any code amendments that have been approved since final approval of the subdivision that would impact the subdivision if the applicant were required to reapply.

If the following criteria are met, then the City Council may grant an extension:

1. Construction must be conducted according to any new City standards in effect at the time the plat is ultimately recorded;
2. The property must be maintained in a clean, dust-free, and weed-free condition at all times;
3. Each extension will be for a one-year period only, after which time an annual review must be requested by the applicant and presented before the City Council; and/or

4. No more than three one-year extensions will be allowed. The granting or denying of any extension, with or without conditions, is within the sole discretion of the City Council, and an applicant has no right to receive such an extension.

Please contact Michael with any question that you have: 435-654-3223 ext. 105

728 West 100 South  
Heber, UT 84032  
www.horrocks.com



Heber Office  
Tel: 435.654.2226  
Fax: 435.657.1160

December 6, 2022

Brad Wilson  
Midway City  
100 West 75 North  
Midway City, UT 84032

**Subject: Appenzell PUD Phase 2, End of Warranty, and Warranty Bond Release**

Dear Brad:

Appenzell Phase 2 PUD has completed all the items required for the Warranty release. Horrocks Engineers recommends that the warranty bond and ALL other warranty bond items for both Midway City and the Midway Sanitation District be released for this development.

We appreciate working with you on this project. Please contact our office with any questions or concerns

Sincerely,  
HORROCKS ENGINEERS

A handwritten signature in blue ink, appearing to read "Wesley Johnson".

Wesley Johnson, P.E.  
Midway City Engineer

Cc: Michael Henke, City Planner, (sent by e-mail)  
Tex Couch, City Building Official, (sent by e-mail)  
Becky Woods, Midway Sanitation District, Manager, (sent by e-mail)  
Corbin Gordon, Midway City Attorney, (sent by e-mail)  
Rick Lloyd, Developer, (sent by e-mail)



# Memo

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**Date:** 29 November 2022  
**To:** Mayor, City Council and Staff  
**Cc:** File  
**From:** Brad Wilson, City Recorder  
**RE:** 20 December 2022 Council Work and Regular Meetings

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Currently there are no items on the agendas for the 20 December 2022 city council work and regular meetings. Mayor Johnson asked that possibly canceling the meetings be put on the consent calendar for the 6 December 2022 city council regular meeting.

Please contact me if you have any questions.





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\*\*\* OFFICIAL PROCLAMATION \*\*\*

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**WHEREAS** in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, *and*

**WHEREAS** this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, *and*

**WHEREAS** Arbor Day is now observed throughout the nation and the world, *and*

**WHEREAS** trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife, *and*

**WHEREAS** trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, *and*

**WHEREAS** trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, *and*

**WHEREAS** trees — wherever they are planted — are a source of joy and spiritual renewal.

**NOW, THEREFORE,** I, \_\_\_\_\_, Mayor of the City of \_\_\_\_\_, do hereby proclaim \_\_\_\_\_ as **ARBOR DAY** In the City of \_\_\_\_\_, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, *and*

**FURTHER,** I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

**DATED THIS** \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Mayor \_\_\_\_\_